

Sec. Twp. Range

**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING**

CIP - pre-file
8/24/10
MC - filing Appointment
9/7/10 Renumbered
RECEIVED
Z11-037
APR 04 2011

ZONING HEARINGS SECTION,
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

Date Received

LIST ALL FOLIO #S: 30 - 3109 - 000 - 1110

1. **NAME OF APPLICANT** (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

king Metal Recycling, LLC

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 8600 N.W. 36th Avenue

City: Miami State: FL Zip: 33147 Phone#: 786-256-3292

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): king Metal Recycling, LLC

Mailing Address: 8600 N.W. 36th Avenue

City: Miami State: FL Zip: 33147 Phone#: 786-256-3292

4. **CONTACT PERSON'S INFORMATION:**

Name: Pedro L. Amador Company: king Metal Recycling, LLC

Mailing Address: 8600 N.W. 36th Avenue

City: Miami State: FL Zip: 33147

Phone# 256-3292 Fax# 786 E-mail: petea@kingmetalrecycling.com

5. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

See Exhibit "A".

6. **ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

8600 N.W. 36th Avenue

See Also Exhibit "A".

Miami, FL 33147

7. SIZE OF PROPERTY 277.60 ft x 325 ft (in acres): 90,220 ft² = 2.07 Acres
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ☒ acquired ☐ leased: MAY 2010 (month & year)

9. Lease term: N/A years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?

no ☒ yes ☐ If yes, provide complete legal description of said contiguous property.

11. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?

no ☒ yes ☐ (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: GU

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

☒ District Boundary(zone) Changes [Zone(s) requested]: IU-3

(Provide a separate legal description for each zone requested)

☐ Unusual Use: _____

☐ Use Variance: _____

☒ Non-Use Variance: Set Backs for North Side & Wall at S.E. Corner.

☐ Alternative Site Development: Option: _____

☐ Special Exception: _____

☒ Modification of Previous Resolution/Plan: Resolution NO: ZAB-35-61 & ZB-80-61

☐ Modification of Declaration or Covenant: _____

14. Has a public hearing been held on this property within the last year & a half? no ☒ yes ☐.

If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? no ☒ yes ☐. If yes, give name to whom the

violation notice was served: _____ and describe the violation:

16. Describe structures on the property: Metal Building with 4 2 Story Concrete

Office Building

17. Is there any existing use on the property? no ☐ yes ☒. If yes, what use and when established?

Use: See Attached - Exhibit "B". Year: 2010

18. Do you require a translator for the actual hearing? Yes ☐ No ☒

If yes: Spanish ☐ Haitian Creole ☐

Other (Please specify which language) Renumbered

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BY AT

hibit
B
Sellers of steel, iron and other ferrous and non ferrous material deliver the unprepared raw materials to this location where it is inspected and weighed, and the sellers are paid for the delivery of the material. The steel and iron is then fabricated to meet the requirements for heavy melting steel (HMS), as described in the Guidelines for Ferrous Scrap: FS 2008: Institute of Scrap Recycling Industries, Inc. The Sellers of the raw materials upon delivery often times will deliver ferrous material that is not suitable to be manufactured into HMS 1 prepared grades so then this material is separated out from the suitable material and loaded and trucked away from the site.

The suitable material is then processed, prepared and manufactured to be HMS No. 1 (FS-2008-200), HMS No. 1-3 feet by 18 inches (FS 2008-201), HMS No. 1-5 feet by 18 inches (FS-2008-202); HMS No. 2 (FS-2008-2003), HMS No. 2-3 feet by 18 inches (FS-2008-204/205), or HMS No. 2-5 feet by 18 inches --- depending on the end-buyers product specifications and requirements. This process includes the fabricating, shearing, cutting, crushing, torching, reducing, bailing, sorting, shredding, milling, fragmentizing, loading and transferring of such materials including but not limited to, HMS 1 (heavy metal steel) prepared and unprepared steel, iron, scrap metals, cast iron, nickel, high temp alloys, alloys, sheet iron, brake drums, hubs, rotors, rebar, reinforcing steel, beam, square tubing, angles, rods, flat bars, mandrill coils, motor blocks, chain, wire, turnings and plate of which said materials come in all shapes, sizes and conditions. The materials are processed as described in the Guidelines for Ferrous Scrap: FS 2008: Institute of Scrap Recycling Industries, Inc. via the use of equipment such as shears, bailers, sorters, loaders, blow torches, and other equipment used in this industry. The HMS grades are then loaded and transferred to the buyer of the material.

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ACKNOWLEDGEMENT BY APPLICANT

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department's Legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

(Applicant's Signature)

Pedro L. Amador

(Print Name of Applicant)

Sworn to and subscribed before me on the

19 Day of AUGUST, 2010

Affiant is personally known to me or has produced
as identification.

(Notary Public's Signature)

My commission expires 10-22-2012

State of: FLORIDA



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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AT

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Signature

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), Pedro L. Amador, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☒ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____
9/10/2010 E. Santini

Authorized Signature

Office Held

(Corp. Seal)

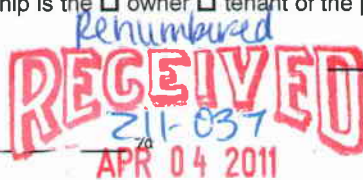
Sworn to and subscribed to before me
this 07 day of SEPTEMBER 2010

Notary Public: _____
Commission Expires: 10-22-2012



PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.



(Name of Partnership)

By _____ By _____ %

By _____ By _____ %

ZONING HEARINGS SECTION
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BY AT EPT.

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

OWNERSHIP AFFIDAVIT
FOR
CORPORATION

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BY *TH*

STATE OF Florida Public Hearing No.
COUNTY OF Dade

Before me, the undersigned authority, personally appeared Pedro L. Amador
hereinafter the Affiant(s), who being first duly
sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address:
8600 NW 36th Avenue, Miami, Florida, 33142
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:
Exhibit "A"
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Gloria E. Santin
Signature

Gloria E Santin
Print Name

William P. Kearney
Signature

William P Kearney
Print Name

Sworn to and subscribed before me on the 07 day of SEPTEMBER 20 10.

Affiant is personally known to me or has produced _____ as identification

Notary *[Signature]*

(Stamp/Seal)



Commission Expires: 10-22-2012

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: King Metal Recycling, LLC

NAME AND ADDRESS

Percentage of Stock

<u>Pedro L. Amador, 15954 NW 79 PL, M.L., FL 33016</u>	<u>25 %</u>
<u>Jorge L. Amador, 7783 NW 166 Terr, M.L. FL 33016</u>	<u>25 %</u>
<u>Yohani Danza, 961 E. 13th St. Hialeah, FL 33010</u>	<u>25 %</u>
<u>Arturo Alvarez, 961 E. 13th St. Hialeah, FL 33010</u>	<u>25 %</u>

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS

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BY att

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS

Percentage of Ownership

_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

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BY: *xtt*
B _____

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Signature)
(Applicant)

Sworn to and subscribed before me this 19 day of AUGUST, 20 10. Affiant is personally know to me or has produced _____ as identification.

(Signature)
(Notary Public)

My commission expires 10-22-2012

Seal

MANUEL U. ESCORCIA
Commission DD 818859
Expires October 22, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

EXHIBIT A

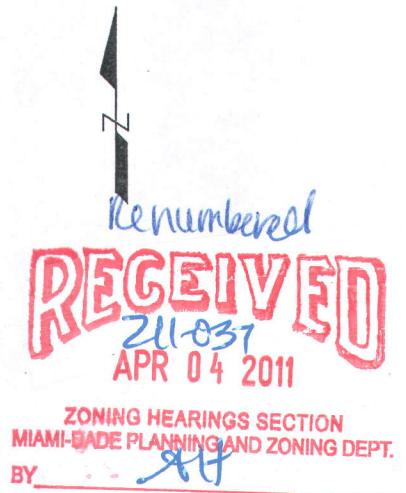
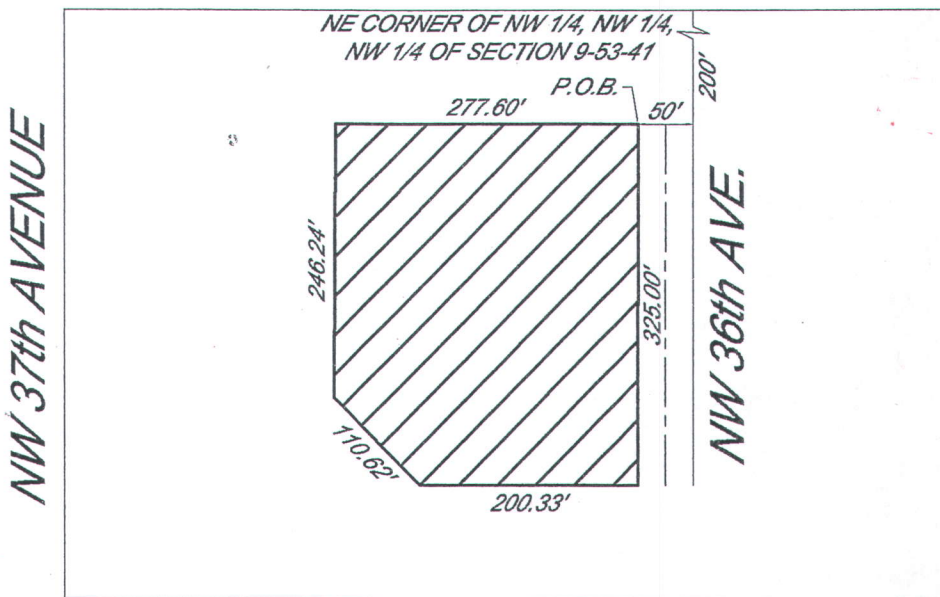
All that certain piece of parcel of land in the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 9, Township 53 South, Range 41 East, Miami-Dade County, Florida, more particularly described as follows:

Beginning at a point that is 200 feet South and 50 feet West of the Northeast corner of the NW 1/4 of the NW 1/4 of the NW 1/4 of said Section 9, thence Southerly along a line 50 feet West of and parallel to the East boundary of the NW 1/4 of the NW 1/4 of the NW 1/4 of said Section 9, a distance of 325 feet to a point, thence Westerly parallel to the North boundary of said Section 9, a distance of 200.33 feet to a point; thence deflecting to the right 45° 23' 44" run a distance of 110.62 feet to a point; thence deflecting to the right 44° 50' 31" run distance of 246.24 feet to a point; thence deflecting to the right 89° 45' 45" run along a line parallel to the North boundary of said Section 9, a distance of 277.60 feet to the POINT OF BEGINNING.

LOCATION SKETCH

NOT TO SCALE

NORTHWEST 87th STREET



LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND IN THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 200.00 FEET SOUTH AND 50.00 FEET WEST OF THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 9; THENCE SOUTHERLY ALONG A LINE 50.00 FEET WEST OF AND PARALLEL TO THE EAST BOUNDARY OF THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 9, A DISTANCE OF 325.00 FEET TO A POINT, THENCE WESTERY PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 200.33 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 45 DEGREES 23 MINUTES 44 SECONDS A DISTANCE OF 110.62 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 44 DEGREES 50 MINUTES 31 SECONDS RUN A DISTANCE OF 246.24 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 89 DEGREES 45 MINUTES 45 SECONDS RUN ALONG A LINE PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 277.60 FEET TO THE POINT OF BEGINNING.